

MITIGATED NEGATIVE DECLARATION

June 22, 2006

Project Name: Oak Rose

Project Number(s): TM 5204RPL⁵, Log No. 00-08-012

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Stormwater, Drainage, Biology, Traffic, Visual Resources, and Noise.
1. California Environmental Quality Act Mitigated Negative Declaration Findings:
Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

TRANSPORTATION

- A. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

BIOLOGY

- A. Prior to approval of grading permits or improvement plans for the area shown as Phase 1, and prior to the approval of the corresponding Final Map, the applicant shall:
 - 1. Grant to the County of San Diego a Biological Open Space Easement for that phase as shown on the Open Space Easement Map (Figure 6 of the Biological Resources Assessment date revised February 2006) on file with the Department of Planning and Land Use as Environmental Review Number 00-08-012. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.

The sole exceptions to this prohibition are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the Fire Protection Authority for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use.
 - c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
- 2. Grant to the County of San Diego a Limited Biological/ Limited Building Zone Easement as shown on shown on the Open Space Easement Map (Figure 6 of the Biological Resources Assessment date revised February 2006) on file with the Department of Planning and Land Use as Environmental Review Number 00-08-012. This easement is for the limited protection of biological resources, including (a) protection of the adjacent biological open space easement from the need to modify vegetation for fire protection, and (b) protection of chaparral and streambed vegetation. This easement prohibits construction, erection, or placement of any building or structure intended for occupation by people or animals; grading, excavation, and placement of soil, sand, rock, gravel, or other material; clearing or planting of vegetation; vehicular activities; and trash dumping. The only exceptions to these prohibitions are:
 - a. Clearing of vegetation in association with a Fire Protection Plan approved by the Fire Protection Authority or pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
 - b. Landscaping with San Diego County native chaparral species that have been approved by the Fire Protection Authority or that are pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- B. Prior to approval of grading permits or improvement plans for the area shown as Phase 2, and prior to the approval of the corresponding Final Map, the applicant shall:

1. Grant to the County of San Diego a Biological Open Space Easement for that phase shown on the Open Space Easement Map (Figure 6 of the Biological Resources Assessment date revised February 2006) on file with the Department of Planning and Land Use as Environmental Review Number 00-08-012. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.

The sole exceptions to this prohibition are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use.
- c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
- d. Use of the easement in the southeastern portion of Lot 2, for the stated intent.

2. Grant to the County of San Diego a Limited Biological/ Limited Building Zone Easement as shown on shown on the Open Space Easement Map (Figure 6 of the Biological Resources Assessment date revised February 2006) on file with the Department of Planning and Land Use as Environmental Review Number 00-08-012. This easement is for the limited protection of biological resources, including (a) protection of the adjacent biological open space easement from the need to modify vegetation for fire protection, and (b) protection of oak trees and streambed vegetation. This easement prohibits construction, erection, or placement of any building or structure intended for occupation by people or animals; grading, excavation, and placement of soil, sand, rock, gravel, or other material; clearing or planting of vegetation; vehicular activities; and trash dumping. The only exceptions to this prohibition are:
 - a. Installation of decking, fences, and similar facilities on the building pads shown on the Tentative Map.
 - b. Construction of sheds, gazebos, and detached garages on the building pads shown on the Tentative Map as long as the structures are less than 250 square feet in total floor area, and that they are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
 - c. Grading, excavation, and placement of soil, sand, rock, gravel, or other material for construction and future use of the building pads and leach fields shown on the Tentative Map.
 - d. Clearing or planting of vegetation for construction and future use of the building pads shown on the Tentative Map.
 - e. Clearing of vegetation in association with a Fire Protection Plan approved by the Fire Protection Authority or pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

- f. Landscaping on the building pads shown on the Tentative Map.
 - g. Landscaping with San Diego County native oak woodland or chaparral species that have been approved by the Fire Protection Authority or pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
3. Grant to the County of San Diego a Limited Biological/Community Character Open Space Easement as shown on the Open Space Easement Map (Figure 6 of the Biological Resources Assessment date revised February 2006) on file with the Department of Planning and Land Use as Environmental Review Number 00-08-012. This easement is for the protection of the oak trees and (1) prohibits removal or damage of the oak trees, and (2) prohibits damage of the oaks' root systems by grading; excavation; placement of soil, sand, rock, gravel, or other materials; construction, erection, or placement of any building or structure; and vehicular activities. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.

The sole exceptions to this prohibition are:

- a. Selective clearing of oak trees and understory to the extent required by written order of the fire authorities.
- b. Fire clearing shall be done pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- c. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use.
- d. Construction, use, and maintenance of septic systems as shown on Tentative Map 5204.

- e. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
 - f. Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.
4. Cause to be placed on the grading and/or improvement plans the following: "Permanent fences or walls shall be placed along the open space boundary of Lots 2, 3, 4, 5, and 6, as shown on the Open Space Signage and Fencing Map (Figure 7 of the Biological Resources Assessment date revised February 2006) on file with the Department of Planning and Land Use as Environmental Review Number 00-08-012. The fence or wall shall be four feet (4') high and have a minimum construction of four-strand round wire or equivalent. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation. Placement of permanent fencing or walls is required at the conclusion of the grading activity and prior to Record Plan approval. The permanent fence location(s) shall be identified in the field by a California Registered Engineer or licensed surveyor and positioned just outside of the open space easement. The property owner shall submit to the Director, Department of Planning and Land Use a signed, stamped statement from a California Registered Engineer, or licensed surveyor that the permanent fences or walls have been placed to protect the dedicated open space from inadvertent disturbance by grading, brushing or clearing. Photographs and a brief description of design and materials used shall be submitted with the statement from the California Registered Engineer.
5. Provide for the approval of the Director of Planning and Land Use evidence that credit for 0.9 acres of non-native grassland/annual upland or similarly functioning habitat has been secured in a County approved mitigation bank located in the central coastal or northern

coastal region of the County. Evidence of purchase shall include the following information to be provided by the mitigation bank:

- a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
- b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
- c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

-OR-

Provide for the conservation and habitat management of a minimum of 0.9 acres of non-native grassland/annual upland or similarly functioning habitat located in the central coastal or northern coastal region of the County. A Habitat Management Plan (HMP) for the preserved habitat must be submitted and approved by the Director of the Department of Planning and Land Use. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the HMP.

6. Provide for the approval of the Director of Planning and Land Use evidence that credit for 14.9 acres of coast live oak woodland or similarly functioning habitat has been secured in a County approved mitigation bank located in the central coastal or northern coastal region of the County. Evidence of purchase shall include the following information to be provided by the mitigation bank:
 - a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

- b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
- c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

-OR-

Provide for the conservation and habitat management of a minimum of 14.9 acres of coast live oak woodland or similarly functioning habitat located in the central coastal or northern coastal region of the County. A Habitat Management Plan (HMP) for the preserved habitat must be submitted and approved by the Director of the Department of Planning and Land Use. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the HMP.

- C. Prior to approval of any grading or improvement plans for any phase, the applicant shall:
 - 1. Cause to be placed on all grading and/or improvement plans the following: "Prior to commencement of grading, or brushing or clearing, temporary fences shall be placed to protect the open space easements shown on the Tentative Map which preclude grading, or brushing or clearing. The applicant shall submit to the Department of Planning and Land Use a statement from a California Registered Engineer, or licensed surveyor that temporary fences have been placed in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fence location shall be identified in the field by a California Registered Engineer or licensed surveyor and positioned between the open space easement

boundary and any area of proposed disturbance. The temporary fencing shall be removed after the conclusion of such activity."

2. Cause to be placed on all grading and/or improvement plans the following: "Prior to the completion of rough grading, the applicant shall provide evidence that permanent signs have been placed to protect all Open Space Easements in accordance with the Open Space Signage and Fencing Map (Figure 7 of the Biological Resources Assessment date revised February 2006) on file with the Department of Planning and Land Use as Environmental Review Number 00-08-012 to the satisfaction of the Director, Department of Planning and Land Use. Evidence shall include photographs of a sign placed on the project site and a stamped, signed statement from a California Registered Engineer, or licensed surveyor that permanent signs have been placed on the open space easement boundaries in accordance with the requirements of this condition. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

Sensitive Environmental Resources
Disturbance Beyond this Point is Restricted
by Easement

Information:

Contact County of San Diego, Department of Planning and Land Use
Ref: ER 00-08-012"

3. Cause to be placed on all grading and/ or improvement plans and on the Map, the following: "Restrict all brushing, clearing and/or grading such that none will be allowed in native habitat during the avian breeding season. This is defined as occurring between January 15 and August 15 of any year. The Director of Planning and Land Use may waive this condition upon consideration of written verification by a qualified biologist that a survey done within 7 days of the planned commencement of clearing has established the absence of occupied avian nests within the grading footprint."

CULTURAL RESOURCES

- A. Prior to Issuance of any Grading Permits or Approval of improvement plans, the subdivider shall:
1. Implement a grading monitoring and data recovery program to mitigate potential impacts to undiscovered buried archaeological resources on the Oak Rose Ranch Project, TM 5204RPL⁵, Log No. 00-08-012 to the satisfaction of the Planning Director. This program shall include, but shall not be limited to, the following actions:
 - a. Provide evidence to the Department of Planning and Land Use that a County certified archaeologist has been contracted to implement a grading monitoring and data recovery program to the satisfaction of the Director of Planning and Land Use (DPLU). A copy of the contract as well as letter from the Project Archaeologist shall be submitted to the Director of Planning and Land Use. The contract shall include the following guidelines:
 - i. The consulting archaeologist shall contract with a Native American monitor to be involved with the grading monitoring program.
 - ii. The County certified archaeologist/historian and Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
 - iii. The consulting archaeologist shall monitor Lots 2-7 (Phase II) that are identified for development.
 - iv. An adequate number of monitors (archaeological/historical/Native American) shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities.
 - v. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be on-site full-time to perform full-time monitoring as determined by the

Principle Investigator of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.

- vi. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.
- vii. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consultation with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods.
- viii. If any human bones are discovered, the Principle Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.
- ix. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principle Investigator shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

- x. In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program shall be processed and curated according to current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.
 - xi. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.
 - xii. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.
- B. Provide Evidence to the Director of Planning and Land Use that the following notes have been placed on the Grading Plan:
- 1. The County certified archaeologist/historian and Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
 - 2. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite full-time to perform full-time monitoring as determined by the Principle Investigator of the excavations. The frequency of inspections will depend on the rate of excavation, the materials

excavated, and the presence and abundance of artifacts and features.

3. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. The Principle Investigator shall contact the County Archaeologist at the time of discovery. The Principle Investigator, in consultation with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods.
4. The consulting archaeologist shall monitor Lots 2-7 (Phase II) that are identified for development.
5. If any human bones are discovered, the Principle Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.
6. Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use. Evidence shall be in the form of a letter from the Project Archaeologist.
7. Prior to Final Grading Release, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall also include the following:
 - a. Department of Parks and Recreation Primary and Archaeological Site forms.

- b. Evidence from a curation facility within San Diego County that all cultural material collected during the grading monitoring program has been received for curation accompanied by payment of the fees necessary for permanent curation.

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the preparation of the Final Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating as determined by the Project Archaeologist in consultation with County Staff Archaeologist.

- C. Prior to recordation of the Final Map, the applicant shall:
 - 1. Complete and submit a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program to the satisfaction of the Director of Planning and Land Use. The report shall also include the following:
 - a. Department of Parks and Recreation Primary and Archaeological Site forms.
 - b. Evidence from a curation facility within San Diego County that all cultural material collected during the grading monitoring program has been received for curation accompanied by payment of the fees necessary for permanent curation.

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the preparation of the Final Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating as determined by the Project Archaeologist in consultation with County Staff Archaeologist.

VISUAL

- A. Prior to issuance of grading permits or construction permits for Unit 1 (also referred to as Phase 1), and prior to approval of any Final Map for Unit 1, the applicant shall:
1. Obtain approval from the Director of Planning and Land Use of a detailed Landscape Plan. The Landscape Plan and review fee shall be submitted to the Current Planning Division. Said Plan shall show the types and locations of all landscaping features including planting and irrigation. The landscape material shall not interfere with any required solar access (plans shall show the proposed solar access/solar panel locations). [DPLU - Current Planning Division]

In addition, the Landscape Plan shall address the following concern(s):

- a. The Landscape Plan shall be in substantial conformance with the conceptual landscape plan included in the Visual Resource Study for TM 5204RPL⁴ on file with the Department of Planning and Land Use as Log No. 00-08-012.

- b. All slopes shall be planted and irrigated per the requirements of the County Code, Zoning and Land Use Regulations, Section 87.417 and 87.417.5. Slopes shall be planted with native species typical of the surrounding area. No ornamental or invasive species will be allowed on slopes bordering an open space lot.
- c. Tree well details and specifications shall be included.
- d. No invasive, non-native species will be permitted in or near the open space easements.
- e. The landscape architect of record shall certify with a note on the plans that all steep slopes (1.5:1 cut slope behind lot 3) will be capable of supporting erosion control vegetation during the life of the permit. Refer to section 87.401 of the County's Grading Ordinance.
- f. The landscape architect of record shall provide a signed, dated compliance statement on all sheets prepared under their supervision. Compliance statement shall be per Section 6713.a.1.
- g. Locations of all existing plant material to be removed along with tree trunk caliper size and species shall be shown.
- h. All irrigation systems shall be automatic with a rain-sensing override device attached to the controller(s).
- i. All planting beds shall receive a minimum of 2" of mulch.
- j. All fuel modification zones as depicted on the conceptual landscape plan shall be shown. All applicable notes, details, and specifications (as required by the Rancho Santa Fe Fire District) shall also be included on the final construction document set of plans.
- k. Water Management Plans shall be prepared and submitted as per Section 6717.c of the County's Zoning Ordinance.

- B. Prior to issuance of grading permits or construction permits for Unit 2 (also referred to as Phase 2), and prior to approval of any Final Map for Unit 2, the applicant shall:
1. Obtain approval from the Director of Planning and Land Use of a detailed Landscape Plan. The Landscape Plan and review fee shall be submitted to the Current Planning Division. Said Plan shall show the types and locations of all landscaping features including planting and irrigation. The landscape material shall not interfere with any required solar access (plans shall show the proposed solar access/solar panel locations). [DPLU - Current Planning Division]

In addition, the Landscape Plan shall address the following concern(s):

- a. The Landscape Plan shall be in substantial conformance with the conceptual landscape plan included in the Visual Resource Study for TM 5204RPL⁵ on file with the Department of Planning and Land Use as Log No. 00-08-012.
- b. All slopes shall be planted and irrigated per the requirements of the County Code, Zoning and Land Use Regulations, Section 87.417 and 87.417.5. Slopes shall be planted with native species typical of the surrounding area. No ornamental or invasive species will be allowed on slopes bordering an open space lot.
- c. Tree well details and specifications shall be included.
- d. No invasive, non-native species will be permitted in or near the open space easements.
- e. The landscape architect of record shall certify with a note on the plans that all steep slopes (1.5:1 cut slope behind lot 3) will be capable of supporting erosion control vegetation during the life of the permit. Refer to section 87.401 of the County's Grading Ordinance.

- f. The landscape architect of record shall provide a signed, dated compliance statement on all sheets prepared under their supervision. Compliance statement shall be per Section 6713.a.1.
- g. Locations of all existing plant material to be removed along with tree trunk caliper size and species shall be shown.
- h. All irrigation systems shall be automatic with a rain-sensing override device attached to the controller(s).
- i. All planting beds shall receive a minimum of 2" of mulch.
- j. All fuel modification zones as depicted on the conceptual landscape plan shall be shown. All applicable notes, details, and specifications (as required by the Rancho Santa Fe Fire District) shall also be included on the final construction document set of plans.
- k. Water Management Plans shall be prepared and submitted as per Section 6717.c of the County's Zoning Ordinance.

NOISE

A. On the Final Map for Unit 2, the applicant shall:

- 1. Grant to the County of San Diego a Noise Protection Easement over a strip of land 90 feet from the centerline of Mt. Israel Road on Lots 2 and 7 of Tentative Map 5204RPL⁴. This easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected lots. The easement shall require that prior to the issuance of any building permit for any residential use within the noise protection easement, the applicant shall:
 - a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Mt. Israel Road, must utilize a

Level of Service "C" traffic flow for a Light Collector road classification which is the designated General Plan Circulation Element buildout roadway classification.

- b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

- a. With Phase 2, improve or agree to improve and provide security for the private easement road, **Detwiler Road**, from Mount Israel Road to the westerly boundary of the subdivision, to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24'), with asphalt concrete pavement over approved base, with asphalt concrete dike at twelve feet (12') from centerline. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Roads for one hundred one (101) to seven hundred fifty (750) trips shall apply to the satisfaction of the Director of Public Works. [DPW]

LOT 1 ACCESS

- b. With Phase 1, improve or agree to improve and provide security for **Del Dios Highway** (SF 727 and SC 1524) off-site in accordance with Sheet 4 (approved November 30, 1987) and Sheets 17 and 20 (approved July 15, 1996) of improvement plans for CG 3175 to the satisfaction of the Director of Public Works.
- c. With Phase 1, improve or agree to improve and provide security for **Calle Ambiente** off-site, between Del Dios Highway (SF 727 and SC 1524) to a point approximately five hundred feet (500') northwest of Del Dios Highway, in accordance with Public Road Standards for a Commercial

Street. The improvement shall be in accordance with Sheets 7 and 8 (approved November 30, 1987) and Sheets 18 and 19 (approved July 15, 1996) of improvement plans for CG 3175 to the satisfaction of the Director of Public Works.

- d. With Phase 1, Improve or agree to improve and provide security for **Calle Ambiente** off-site, between a point approximately five hundred feet (500') northwest of Del Dios Highway and Via Ambiente, to a graded width of thirty-two feet (32') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base. The Improvements and Design Standards of Section 3.1(C) of the County Standards for Private Streets for seven hundred fifty (750) to twenty-five hundred (2,500) trips shall apply to the satisfaction of the Director of Public Works.
- e. With Phase 1, Improve or agree to improve and provide security for **Via Ambiente** off-site, between Calle Ambiente and Via Rancho Cielo, to a graded width of thirty-two feet (32') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base. The Improvements and Design Standards of Section 3.1(C) of the County Standards for Private Streets for seven hundred fifty (750) to twenty-five hundred (2,500) trips shall apply.
- f. With Phase 1, improve or agree to improve and provide security for **Via Rancho Cielo** off-site, between Via Ambiente and Cerro Del Sol, to a graded width of thirty-two feet (32') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base. The Improvements and Design Standards of Section 3.1(C) of the County Standards for Private Streets for seven hundred fifty (750) to twenty-five hundred (2,500) trips shall apply. The graded and surfaced widths shall conform to the widths on the approved improvement plans for Tentative Map 4229.
- g. With Phase 1, improve or agree to improve and provide security for **Via Rancho Cielo** off-site, between Cerro Del Sol and Street "A", to a graded width of thirty-two feet (32') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base. The Improvements and Design Standards of Section 3.1(C) of the County Standards for Private Streets for seven hundred fifty (750) to twenty-five hundred (2,500) trips shall apply.
- h. With Phase 1, improve or agree to improve and provide security for **Street "A"**, between Via Rancho Cielo off-site and the to-be-named access road (west of Lot 27 of TM 5093), to a graded width of forty-seven feet (47') and

to an improved width of thirty-two feet (32') with asphalt concrete pavement over approved base. The Improvements and Design Standards of Section 3.1(C) of the County Standards for Private Streets for seven hundred fifty (750) to twenty-five hundred (2,500) trips shall apply.

- i. With Phase 1, improve or agree to improve and provide security for the to-be-named access road (**Connemara Drive**) off-site, between Street "A" (as shown on TM 5093) and Lot 1 of TM 5204, to a graded width of twenty four feet (24') and to an improved width of twenty feet (20') with asphalt concrete pavement over approved base. The Improvements and Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply.
- j. Adequate unobstructed sight distance per County Standards shall be provided at all proposed intersections and driveway openings, in accordance with the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards (approved July 14, 1999), or to the satisfaction of the Director of Public Works.
- k. Driveways with a length in excess of one hundred fifty feet (150') shall have a Fire Department-approved turnaround at the terminus. [FIRE]
- l. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- m. Where height of fill bank for a 2:1 slope is greater than twelve feet (12'); or where height of fill bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed per CALTRANS standards to the satisfaction of the Director of Public Works.
- n. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas of one (1) acre or greater require that the property

owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

- o. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
 - (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to all private roads, and place a note on the Final Map as to the final title status of said roads.
 - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- p. With the recordation of the Final Map for Phase 2 or unit abutting Mt. Israel Rd, offer to dedicate **Mt. Israel Road (SC 1380)** along the project frontage to a one-half ultimate right-of-way width of thirty feet (30'), together with right to construct and maintain slopes and drainage facilities. The Final Map shall be prepared to show the offer being accepted and shall show the ultimate limits of the slopes and drainage facilities.
- q. With the recordation of the Final Map for Phase 2 or unit abutting Mt. Israel Rd, offer to dedicate **Mt. Israel Road** to a one-half right-of-way width of thirty feet (30') along the project frontage, together with right to construct and maintain slopes and drainage facilities. The Final Map shall be prepared to show the offer being accepted and shall show the ultimate limits of the slopes and drainage facilities.
- r. Prior to recordation of the Final Map for Phase 2 or unit abutting Mt. Israel Rd and/or approval of improvement plans, the engineer or surveyor shall determine the location of the centerline for **Mt. Israel Road (SC 1380)**, which is shown on the Circulation Element of the County General Plan as a LIGHT COLLECTOR Highway. The following shall be shown on the Final Map:
 - (1) The centerline location as approved by the Department of Public Works.

- (2) The width of the right-of-way, which is thirty feet (30') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening.
- (3) A building line which is sixty feet (60') from the centerline of the road, identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____

DEVON MUTO, Planning Manager
Regulatory Planning Division

DM:jcr

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